

**PATENT**

**UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant: DIEHL et al.

Application: **IMPLEMENTING ENHANCED PROXY ARP FOR VIRTUAL IP  
ADDRESSES** (As amended)

Serial No.: 10/650,538

Filing Date: August 28, 2003

Art Unit: 2144

Examiner: Scott B. Christensen

Case: ROC920030133US1

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Honorable Commissioner Of Patents  
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Alexandria, VA 22313-1450

**REPLY BRIEF**

Sir:

In response to the Examiner's Answer mailed February 19, 2009,

Applicants reply to the arguments raised by the Examiner as follows. For the reasons set forth in the Brief on Appeal and below, it is submitted that the Board should reverse the Examiner's sole ground of rejection of all pending claims 1-4, and 7-18 under 35 USC §103(a) as being unpatentable over Lee, U.S. patent 7,088,689 in view of Kirchner et al., U.S. patent 6,263,370 and Smyk, U.S. patent 6,289,001.

In the analysis, for example, at pages 3-6, the Examiner incorrectly indicates certain claimed subject matter is present in the prior art and obvious to combine. The scope and content of the prior art is believed to be accurately described at pages 10-13 of Applicants' Brief on appeal.

For example, the Examiner maintains that it would have been obvious to a person of ordinary skill in the art to combine Lee, Kirchner et al., and Smyk to achieve all of the claimed limitations of claim 1. Applicants respectfully submit that this conclusion is simply incorrect.

The present invention overcomes a problem of a Virtual IP Address (VIPA) on a server TCP/IP introduced by International Business Machines Corporation that has been used on some server computers, such as an iSeries server manufactured and sold by International Business Machines Corporation. The Virtual IP addresses are not directly routable. In other words, the iSeries server will never answer an ARP request destined to Virtual IP address. That is why the local gateways or routers needed explicit routes configured in order to forward packets to the Virtual IP interface.

Contrary to the Examiner's assertions, the method for implementing enhanced proxy Address Resolution Protocol (ARP) for Virtual Internet protocol (IP) addresses as recited in independent claim 1 is patentable over the total teachings of Lee, Kirchner et al., and Smyk. Applicants teach the method enabling a new support feature for a server computer to allow Virtual IP addresses to be configured as directly routable.

Only Applicants teach the steps of identifying a Virtual Internet protocol (IP) interface requiring proxy ARP, dynamically selecting a proxy agent for said Virtual Internet protocol (IP) interface; adding an IP address for said Virtual Internet protocol (IP) interface to an address list of an associated physical adapter for said selected proxy agent; and utilizing said physical adapter for said selected proxy agent, and broadcasting said added IP address for said Virtual Internet protocol (IP) interface with a media access control (MAC) address of said associated physical adapter for said selected proxy agent, as taught and claimed by Applicants.

The Examiner relies upon Lee citing Column 2, lines 45-53 to provide these steps; however, Lee provides no suggestion of these steps as taught and claimed by applicants in independent claim 1.

Applicants respectfully submit that the Examiner fails to rely upon teachings drawn from any prior art references, but rather relies applicant's own disclosure and incorrectly concludes that the present invention would have been obvious under 35 USC § 103.

Applicants respectfully submit that the cited Lee, Kirchner et al., and Smyk references do not enable, nor suggest the subject matter of the invention as recited in independent claim 1.

### CONCLUSION

Applicants respectfully submits that the references of record would not have rendered obvious the subject matter of the invention as recited by the

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separately patentable claims 1, 2, 8, 13, and 15 for reasons as set forth here and in Applicants' Appeal Brief.

It is respectfully submitted that claims 1-4 and 7-18 are patentable over the prior art. The final rejection of claims 1-4 and 7-18 under 35 USC §103 is incorrect and should be reversed.

S-signature by

Respectfully submitted,

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April 13, 2009